

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON

MARK SPANGLER,

Petitioner,

v.

DEWAYNE HENDRIX,

Respondent.

Case No. 3:22-cv-00524-MK

ORDER ADOPTING FINDINGS
AND RECOMMENDATION

MCSHANE, District Judge.

Magistrate Judge Kasubhai filed a Findings and Recommendation (ECF No. 5) in this action, recommending that the Petition filed pursuant to 28 U.S.C. 2241 be dismissed for failure to exhaust administrative remedies. The matter is now before me. *See* 28 U.S.C. § 636(b)(1)(B), Fed. R. Civ. P. 72. Although neither party filed objections, I reviewed the legal principles *de novo*. *United States v. Bernhardt*, 840 F.2d 1441, 1445 (9th Cir. 1998). I find no error and conclude the magistrate's report is correct.

Accordingly, Magistrate Judge Kasubhai Findings and Recommendation (ECF No. 5) is ADOPTED, and the Petition (ECF No. 1) is DISMISSED, without prejudice.

IT IS SO ORDERED.

DATED this 24th day of October, 2022.

/s/ Michael J. McShane
MICHAEL J. MCSHANE
United States District Judge